

**THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Consumer Financial Protection Bureau,)
)
)
)
Plaintiff,) Civil Action No. 3:CV-17-00101
) (Hon. Robert D. Mariani)
v.)
)
Navient Corporation, *et al.*,)
)
)
Defendants.)
)

**DEFENDANTS' MOTION TO STRIKE PLAINTIFF'S RESPONSE TO
DEFENDANTS' STATEMENT OF UNDISPUTED MATERIAL FACTS**

Defendants Navient Solutions, LLC, Navient Corporation, and Pioneer Credit Recovery, Inc. (together, “Defendants”), by and through undersigned counsel, hereby move to strike the CFPB’s Response To Defendants’ Statement Of Undisputed Material Facts in its entirety. Alternatively, Defendants move to strike the CFPB’s responses to the following paragraphs and to deem Defendants’ corresponding statements admitted: ¶¶ 1, 6–12, 15–24, 26–29, 31–37, 39, 41–46, 48–54, 59–62, 65, 69–71, 73, 75–77, 79, 81–83, 85–89, 96, 98, 102–10, 114, 116–24, 126–29, 132–35, 140–41, 144–46, 148–49, 151, 153–57, 160–66, 169–77, 180, 182–83, 185–90, 192, 195–97, 199–202, 204–12, 216–33, 237–38, 243–44, 248–49, 258, 260, 262–67, 282, 285, 287–88, 293–94, 296, 299, 301–03, 305, 313–15, 318, 349–50, 354–56, 366, 391. In support of this motion, Defendants submit the attached Memorandum of Law and accompanying exhibits. Defendants would be amenable to the Special Master hearing this motion.

For the reasons stated in the Memorandum of Law, Defendants respectfully submit that the CFPB’s Response violates the Federal Rules of Civil Procedures, the Local Rules, and this Court’s Orders, and should be struck.

Dated: August 18, 2020

Respectfully submitted,

/s/ Jonathan E. Paikin

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Counsel for Navient Corporation, Navient Solutions, LLC, and Pioneer Credit Recovery, Inc.

CERTIFICATE OF NON-CONCURRENCE

I hereby certify that I sought concurrence from Plaintiff's counsel, Nicholas K. Jabbour, in relation to this Motion. Plaintiff's counsel has not concurred in this motion.

/s/ Karin Dryhurst
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CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2020, I filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record who are deemed to have consented to electronic service.

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